IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 17670 of 2007(C)

---

PETITIONER:

---

P.K. KRISHNALEELA,
PARAKUZHIKKATTU, RAMAPURAM P.O., PALA.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS:

---

1. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT IN THE
DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. ASSISTANT EXCISE COMMISSIONER,PALAKKAD.

3. DEPUTY TAHSILDAR (RR), PALA.

BY GOVT. PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S.SIRI JAGAN, J.**

---

**W.P(C) NO. 17670 OF 2007 - C**

---

Dated this the 8th day of June, 2007

**J U D G M E N T**

The petitioner challenges Exts.P3 and P4 orders by which additional tax for transportation of toddy with interest has been demanded. However, when it was pointed out to the counsel for the petitioner that there is long and unexplained delay in that challenge, the petitioner confines his prayer for a direction to the respondents to permit the petitioner to pay the amount demanded in instalments.

2. I have heard learned counsel for the petitioner as also the learned Government Pleader.

3 In the facts and circumstances of the case, I direct the respondents to permit the petitioner to pay the amount demanded in six equal monthly instalments. The first instalment shall be paid on 1st July, 2007. The further instalments would be paid on the first working day of every subsequent month. If the petitioner pays the instalments in time, further coercive proceedings pursuant to Exts.P3 and P4 shall be kept in

abeyance. However, if the petitioner commits default in payment of any one instalment, it would be open to the respondents to continue the proceedings in accordance with Exts.P3 and P4 without having to issue any fresh notice or proceedings in that regard.

The writ petition is disposed of with the above direction.

**S.SIRI JAGAN,**
**Judge**

Mbs/